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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

PACIFIC ENERGY & MINING COMPANY,  
a Nevada Corporation,

Plaintiff,

vs.

MAXIMILIAN RESOURCES LLC, a  
Delaware Limited Liability Company,

Defendant.

CASE NO. 3:17-CV-00363-HDM-VPC  
ORDER GRANTING  
**STIPULATION FOR EXTENSION OF  
TIME FOR DEFENDANT TO RESPOND  
TO THE MOTION FOR SUMMARY  
JUDGMENT [DOC 61]**

**(SECOND REQUEST)**

**AND**

**STIPULATION FOR EXTENSION OF  
TIME TO RESPOND TO TE MOTION  
TO DISMISS COUNTER CLAIMS [DOC  
69]**

**(FIRST REQUEST)**

**WHEREAS**, Plaintiff Pacific Energy and Mining Company ("**Pacific**") commenced this action against Defendant Maximilian Resources, LLC ("**Maximilian**") and together with Pacific, the "**Parties**") seeking a declaratory judgment from this Court that certain insurance claim proceeds it received from Travelers Property Casualty Company of America are not payable to Maximilian pursuant to a Forbearance Agreement between the Parties;

**WHEREAS**, on June 6, 2018, Pacific filed a motion requesting that this Court issue summary judgment in its favor (the "**Summary Judgment Motion**");

**WHEREAS**, pursuant to a stipulation agreed to by Pacific and Maximilian and so ordered by this Curt, Maximilian's current deadline to oppose the Summary Judgment Motion is

July 25, 2018 (the “**Summary Judgment Opposition Deadline**”);

**WHEREAS**, on July 2, 2018, Maximilian filed an answer, affirmative defenses and counter claim;

**WHEREAS**, the Parties remain in settlement discussions regarding the issue raised herein and certain other issues between them;

**WHEREAS**, on July 17, 2018, Pacific filed a motion to dismiss Maximilian’s counter claims (Doc 69);

**WHEREAS**, Maximilian’s response to the motion to dismiss is currently due on or before July 31, 2018 (the “**Motion to Dismiss Opposition Deadline**”);

**WHEREAS**, while the Parties have, and will continue to, earnestly pursue settlement discussions, the vacation schedules of certain of the parties engaged in such discussions may delay them;

**WHEREAS**, the Parties agree that adjourning the Summary Judgment Opposition Deadline and the Motion to Dismiss Opposition Deadline is in their best interests and further the goal of judicial economy;

**NOW THEREFORE**, in consideration of the foregoing, of the mutual promises and covenants herein, and other consideration, the reasonableness of which is hereby acknowledged, the Parties hereto agree as follows:

1. The Parties hereby agree that the Opposition Deadline to the Summary Judgement Motion is extended through and including September 19, 2018.

2. The Parties hereby agree that the Opposition Deadline to the Motion to Dismiss the Counter Claims is extended through and including September 19, 2018.

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1 This is the **second** requested extension to respond to Plaintiff's motion for summary  
2 judgment.

3 This is the **first** requested extension to respond to Plaintiff's motion to dismiss the  
4 counter claims.

5 DATED this 18<sup>th</sup> day of July, 2018.

DATED this 18<sup>th</sup> day of July, 2018.

6 LEVERTY & ASSOCIATES LAW CHTD.

BROWNSTEIN HYATT FARBER SCHRECK,  
LLP

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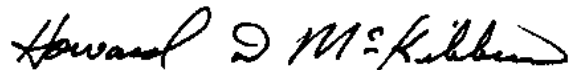
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*Attorneys for Defendant*

*Maximilian Resources LLC*

14 IT IS SO ORDERED:



16 UNITED STATES DISTRICT JUDGE

17 DATED: July 18, 2018